

Remarks

This Amendment is in response to the Office Action mailed July 9, 1999. In the Office Action, the Examiner rejected (i) claims 1 and 15 under 35 U.S.C. §112, second paragraph, and (ii) claims 1-20 under 35 U.S.C. §103 (a). In response, Applicants have amended Claims 1-10, 12-16, 19-20, and added new Claims 21-38. Applicants submit that the new Claims add no new matter. Reconsideration and re-examination is respectfully requested.

I. Rejection Under 35 U.S.C. § 112

The Examiner rejected claims 1 and 15 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In particular, the Examiner stated that it is unclear what the triggering agent determines with respect to the user information. The Examiner further stated that it is unclear how a collecting agent to obtain user information including a hardware profile and software profile and a triggering agent to discern the user information obtained by the collecting agent. In response, Applicants have amended claims 1 and 15 to clarify the function of the triggering and collecting agents.

II. Rejections Under 35 U.S.C. § 103

The Examiner rejected: (1) Claims 1-6 and 15 under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 5,796,952 issued to Davis ("Davis") in view of U.S. Patent No. 5,423,043 issued to Fitzpatrick et al. ("Fitzpatrick"), (2) Claims 7-13 under 35 U.S.C. §103 as being unpatentable over Davis, and (3) Claims 14 and 16-20 under 35 U.S.C. §103 as being unpatentable over US. Patent No. 5,794,210 issued to Goldhaber et al. ("Goldhaber") in view of Davis and further in view of Fitzpatrick. Applicants respectfully traverse the rejections for the following reasons.

Davis discloses a system to monitor client interaction with a resource downloaded from a server. The resources are resources in Web sites such as information in different format such as text, graphics, images, sound, video (Davis, Col. 7, lines 3-6). A tracking program embedded in the resource monitors various indicia, such as time, mouse events, keyboard events, and the like, in order to track a user's interaction with the Web page (Davis, Col. 8, lines 13-16). Previous choices made by a user and stored in a user profile database may be used to determine which of the resources is to be downloaded using simple logical processing instructions (Davis, Col. 14, lines 62-65).

Fitzpatrick discloses a technique to associate actions, attributes, objects, or devices on a computer desktop to reduce multiple manual processes (Fitzpatrick, Col. 2, lines 24-26). An agent is provided to monitor, build, maintain, and recall links based on prior actions and user choices (Fitzpatrick, Col. 2, lines 27-32). A trigger is an action potentially resulting in the commission of other actions (Fitzpatrick, Col. 3, lines 19-22).

Goldhaber discloses a system for the immediate payment to computer and other users for paying attention to an advertisement other negatively priced information distributed over a network (Goldhaber, Col. 4, lines 41-46). At registration time, a user is asked to provide information useful informing interest profile (Goldhaber, Col. 13, lines 26-27). The user has to manually enter the profile information based on a questionnaire (Goldhaber, Col. 13, lines 28-31).

Davis, Fitzpatrick, Goldhaber, take alone or in combination, do not disclose, suggest, or render obvious a rulebook to generate rules specific to the target user. These user specific rules enable the creation of a user specific profile for filtering and transmission of content such as advertising banners. In addition, Davis, Fitzpatrick, Goldhaber, taken alone or in combination, do not disclose, suggest, or render obvious the triggering agent to determine the relevance/significance of the user information.

The Examiner agrees that Davis fails to disclose a triggering agent to determine if the user information is relevant (page 4 of the Office Action, last paragraph). The Examiner then suggests that Fitzpatrick's agent acts as a triggering agent. The Examiner then concludes that it is obvious to combine the teachings of Davis and Fitzpatrick to implement the advertisement system as claimed in the present invention. Applicants respectfully disagree the obviousness conclusion made by the Examiner in the following aspects.

The Examiner states on page 11 of the Office Action that Davis discloses in column 14 lines 62-65 that "... a user profile database may be used to determine which of the resource is to be downloaded to that client using simple logical processing instructions." However, "the simple logical process instructions" do not provide user profile or user information. The agent is used only to determine which of the resource to be downloaded. In contrast, the rule book in the present invention controls and directs the content in the user database.

The Examiner also states on page 11 of the Office Action that Fitzpatrick discloses in column 2 lines 27-32 that "... an agent is provided to monitor, build, maintain, and recall links based on prior actions and user choices." However, this "agent" does not perform the same function as the triggering agent in the applicant's invention. The function of the triggering agent is to determine the significance/relevance of the user information.

The above aspects of the invention are supported in the specification on page 6 lines 21-25, page 9 lines 1-6, and page 11 lines 1-8. To better describe this aspect and to provide further specificity to the claims, Applicants have amended claims 1, 7, 14, 15, to recite in part:

"...a content provider to transmit a content to a target computer
using a rule book based on user information . . . a triggering agent
to determine the significance of the user information." (amended
claim 1)

“...transmitting a content from a content provider to a target computer using a rule book based on user information . . . determining the significance of the user information by a triggering agent.” (amended claim 7)

“... a rule book to select data to be transmitted to the target computer according to the user profile, the rule book providing a rule having a condition-action pair” (amended claim 14)

“... a rule book containing plurality of provider rule pages based on provider information; a collecting agent to obtain the provider information; and a triggering agent to determine significance of the provider information.” (amended claim 15)

Therefore, Applicants believe that independent claims 1, 7, 14, 15, and their respective dependent claims are distinguishable from the cited references. Accordingly, Applicants respectfully request the rejections based on 35 U.S.C. § 103 be withdrawn.




Conclusion

In view of the amendments and remarks made above, it is respectfully submitted that pending claims 1-38 are in condition for allowance, and such action is respectfully solicited.

Respectfully submitted,

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Date